

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
HELENA DIVISION**

**FILED**

**JUL 14 2017**

Clerk, U.S. District Court  
District Of Montana  
Helena

UNITED STATES OF AMERICA,

Plaintiff,

No. CV 17-29-H-SEH

vs.

**ORDER**

TROY S. POWERS; BONNIE  
POWERS f/k/a BONNIE HAMILL;  
OPPORTUNITY BANK OF  
MONTANA f/k/a AMERICAN  
FEDERAL SAVINGS BANK;  
COLLECTION BUREAU SERVICES,  
INC.; STATE OF MONTANA,  
DEPARTMENT OF PUBLIC  
HEALTH AND HUMAN SERVICES,  
CHILD SUPPORT DIVISION;  
STATE OF MONTANA; CITY OF  
HELENA, and LEWIS AND CLARK  
COUNTY, a political subdivision of  
the State of Montana,

Defendants.

**BACKGROUND**

This case was filed on February 22, 2017. Service of process on all Defendants has been made. Waivers of service for Defendants Opportunity Bank

of Montana, f/k/a American Federal Savings Bank,<sup>1</sup> City of Helena,<sup>2</sup> and Lewis and Clark County<sup>3</sup> were filed. Answers from all three Defendants were due April 24, 2017. None have been filed.

A Disclaimer of Interest and request for dismissal was filed for City of Helena on April 21, 2017.<sup>4</sup>

A Stipulation between Plaintiff and Lewis and Clark County was filed on April 5, 2017.<sup>5</sup>

No Answers have been filed by Troy S. Powers, Bonnie Powers f/k/a Bonnie Hamill, Collection Bureau Services, Inc., State of Montana, Department of Public Health and Human Services, Child Support Division, and the State of Montana.

On July 7, 2017, the United States filed a Status Report to the Court<sup>6</sup> informing the court, *inter alia*, “[t]herefore, the United States has postponed seeking default in this matter so that the parties may reach an agreement. The

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<sup>1</sup> Doc. 11.

<sup>2</sup> Doc. 12.

<sup>3</sup> Doc. 14.

<sup>4</sup> Doc. 25.

<sup>5</sup> Doc. 15.

<sup>6</sup> Doc. 28.

United States will either voluntarily dismiss the matter or seek default by no later than August 31, 2017.”<sup>7</sup>

ORDERED:

1. The United States’ self-conferred and invoked delay in proceedings is not authorized by the Federal Rules of Civil Procedure, is contrary to efficient administration of justice, and is unacceptable to the Court.

2. More than three months have elapsed since answers were due from several of the Defendants. Further delays are neither necessary or appropriate.


3. Plaintiff, forthwith and without further delay, shall immediately undertake all steps necessary to either move for default of Defendants Troy S. Powers, Bonnie Powers f/k/a Bonnie Hamill, Opportunity Bank of Montana f/k/a American Federal Savings Bank, Collection Bureau Services, Inc., State of Montana, Department of Public Health and Human Services, Child Support Division, State of Montana and City of Helena or to

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<sup>7</sup> Doc. 28 at 1-2.

dismiss them from the case.

DATED this 14<sup>th</sup> day of July, 2017.

  
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SAM E. HADDON  
United States District Judge